

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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**FISCAL IMPACT STATEMENT**

**LS 7223**

**BILL NUMBER:** HB 1388

**NOTE PREPARED:** Jan 10, 2013

**BILL AMENDED:**

**SUBJECT:** Limitation of Home Rule Power.

**FIRST AUTHOR:** Rep. Speedy

**BILL STATUS:** As Introduced

**FIRST SPONSOR:**

**FUNDS AFFECTED:**     **GENERAL**  
                              **DEDICATED**  
                              **FEDERAL**

**IMPACT:** Local

**Summary of Legislation:** The bill provides that a county, city, town, or township (local government) does not have the power to establish, mandate, or otherwise require:

- (1) benefits;
- (2) terms of employment;
- (3) working conditions; or
- (4) attendance or leave policies;

for an employee within the jurisdiction of the local government that are in excess of federal law or regulations, except within a contract to which the local government is a party.

It provides that a local government does not have the power to impose a restriction on licensing procedures that:

- (1) goes beyond the purpose of the license; and
- (2) is not reasonably related to the purpose of the license.

**Effective Date:** July 1, 2013.

**Explanation of State Expenditures:**

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** The bill would have minimal fiscal impact to the extent that if a local government has enacted an ordinance that violates these limitations on home rule, the local government would not be able to enforce the ordinance and the local government may choose to readopt the ordinance to conform

to the provision of the bill.

**Explanation of Local Revenues:**

**State Agencies Affected:**

**Local Agencies Affected:** Counties, Cities, Towns, Townships.

**Information Sources:**

**Fiscal Analyst:** Karen Firestone, 317-234-2106.